

MEMORANDUM

Agenda Item No. 8(G)(2)


TO: Honorable Chairwoman Rebeca Sosa
and Members, Board of County Commissioners

DATE: November 5, 2013

FROM: R. A. Cuevas, Jr.
County Attorney

SUBJECT: Resolution relating to separation
request of the City of
Sweetwater of certain property
and annexation request of such
property to the City of Doral;
providing that action be taken
pursuant to Section 20-7(B) of
the Code

The accompanying resolution was prepared by the Office of Management and Budget and placed on the agenda at the request of Prime Sponsor Land Use & Development Committee.



R. A. Cuevas, Jr.
County Attorney

RAC/smm

Memorandum



Date: November 5, 2013

To: Honorable Chairwoman Rebeca Sosa
and Members, Board of County Commissioners

From: Carlos A. Gimenez
Mayor

A handwritten signature in black ink, appearing to read "Carlos A. Gimenez".

Subject: City of Doral Annexation and City of Sweetwater Separation

Pursuant to Chapter 20-7 (B) of the Miami-Dade County Code (Code) and following the required public hearing, the Board of County Commissioners (Board) shall adopt the accompanying resolution to take one of the following actions:

- Deny the requested boundary change as presented by the City of Doral (Doral);
- Direct the County Attorney to prepare an appropriate ordinance accomplishing the proposed boundary change; or
- Defer such requested boundary change for further consideration at a subsequent meeting.

Recommendation

It is recommended that the Board, pursuant to the Miami-Dade County Code Chapter 20, approve the separation request as proposed by the City of Sweetwater and the annexation request as proposed by Doral and direct the County Attorney to prepare the appropriate ordinance to accomplish the proposed boundary change.

Scope

This resolution provides for 12 acres of right-of-way to be separated from the City of Sweetwater (Sweetwater) and annexed by Doral. The area lies within Commission District 12, which is represented by Commissioner Jose "Pepe" Diaz.

The proposed annexation area is bounded on the north by a property line north of the canal on NW 25 Street, on the south by the centerline of NW 25 Street, on the east by NW 107 Avenue and on the west by the Florida Turnpike. The area consists of Miami-Dade County right-of-way; there are no residents within this area.

Resolutions from Sweetwater (Resolution No. 3708) and the City of Doral (Resolution No. 12-94) have been passed in order to revise their common boundary, which will limit confusion among the two cities concerning maintenance of right-of-way and other jurisdictional issues.

There is approximately one lane mile in the proposed annexation. NW 25 Street is currently a County maintained road, and will continue to remain under the County's jurisdiction.

Fiscal Impact/Funding Source

Since there are no residents in this area, there is no taxable value. There is no impact to the unincorporated area.

Track Record/Monitor

If the annexation is approved, the Office of Management and Budget will monitor the interlocal agreement governing the annexation area.

Background

On October 19, 2010, the Board adopted Ordinance No. 10-70 approving the annexation by Sweetwater of an area generally described as NW 25 Street to the north, Flagler Street to the south, NW 10 Avenue to the east and the Florida Turnpike. The right-of-way of the canal to the north of NW 25 Street was included in the Sweetwater annexation boundaries. The original incorporation boundaries of Doral were to the north of the canal on NW 25 Street. Doral is requesting that their southern boundary be moved south to the centerline of NW 25 Street, a more logical boundary between municipalities. On July 11, 2102, Doral adopted Resolution No. 12-94 requesting that the area be included within the Doral's boundaries. On August 21, 2012, Sweetwater adopted Resolution No. 3708 requesting separation of the area being requested by Doral, and supporting Doral's efforts to annex the area.

Charter Considerations

On November 6, 2012, Section 6.04 B of the Miami-Dade County Charter was amended requiring the Board to consider whether commercial areas are included in the boundaries of the proposed area to be annexed for the mere benefit of increasing the tax base of the annexing municipality.

The annexation consists entirely of a Miami-Dade right-of-way; therefore, there are no commercial or residential developments within the annexation area.

Code Considerations

Pursuant to Section 20-7 of the Code, staff is to provide the Board and the Planning Advisory Board with the following information for consideration of the annexation.

1. The suitability of the proposed annexation boundaries, in conjunction with the existing municipality, to provide for a municipal community that is both cohesive and inclusive.

- a) Does the area divide a Census Designated Place (an officially or historically recognized traditional community)?

No.

- b) Have any adjacent unincorporated areas with a majority of ethnic minority or lower income residents petitioned to be in the annexation area?

Not applicable.

- c) Is the area, or does it create an unincorporated enclave area (surrounded on 80 percent or more of its boundary by municipalities) that cannot be efficiently or effectively served by the County.

The proposed annexation area is not an enclave nor does it create an unincorporated enclave.

- d) The boundaries are logical, consisting of natural, built, or existing features or city limits.

The boundaries are mostly logical and generally follow City limits or rights-of-way. The proposed annexation area is described as the northern most 95 feet of Section 31, Township 53 South, Range 40 East.

2. The existing and projected property tax cost for the municipal-level service to the average homeowners in the area currently as unincorporated and as included as part of the annexing municipality.

Not applicable.

3. Relationship of the proposed annexation area to the Urban Development Boundary (UDB) of the County's Comprehensive Development Master Plan.

The proposed annexation area is located inside the 2015 Urban Development Boundary (UDB) of the Adopted 2015 and 2025 Land Use Plan map of the Miami-Dade County Comprehensive Development Plan.

4. The impact of the proposal on the revenue base of the unincorporated area and on the ability of the County to efficiently and effectively provide services to the adjacent remaining unincorporated areas.

Not applicable.

5. The fiscal impact of the proposed annexation on the remaining unincorporated areas of Miami-Dade County? Specifically, does the per capita taxable value of the area fall within the range of \$20,000 to \$48,000?

Not applicable.

6. Be consistent with the land Use Plan of the County's (CDMP)?

The CDMP Adopted 20115 and 2025 Land Use Plan (LUP) map designates the subject segment of the NW 25th Street as a major Roadway (3 or more lanes). The canal right-of-way is within an area depicted on the LUP map as "Industrial and Office", "Restricted Industrial and Office" and "Business and Office".

The changed in jurisdictional boundaries would not change the existing or future uses of the proposed annexation area. Therefore, the proposed annexation is generally consistent with the CDMP.

The proposed annexation area is a canal providing drainage and a portion of a road right-of-way that forms part of the existing roadway network providing mobility and property access within the general area. Therefore, it is compatible with the existing and planned uses and zoning within the City of Doral.

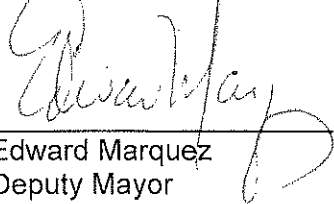
7. Does the proposed annexation area include areas designated as terminals on the County's Adopted Land Use Plan Map? Don't know where this answer is.

There are no terminals within the proposed annexation area.

Honorable Chairwoman Rebeca Sosa
and Members, Board of County Commissioners
Page 4

The Incorporation and Annexation Committee of the Planning Advisory Board held a public hearing on July 1, 2013, and recommended the Board approve the annexation. The Planning Advisory Board held a public hearing on July 1, 2013 and recommended that the Board approve the proposed annexation. The Planning Advisory Board resolution is attached.

The staff report, as reviewed by the Planning Advisory Board, is attached for your convenience.



Edward Marquez
Deputy Mayor

Exhibit 1 – Map of Annexation Area
Exhibit 2 – Doral Resolution No. 12-94
Exhibit 3 – Sweetwater Resolution No. 3078
Exhibit 4 – Planning Advisory Board Resolutions
Exhibit 5 – Staff Report – Sweetwater and Doral

Mayor11613




MEMORANDUM

(Revised)

TO: Honorable Chairwoman Rebeca Sosa
and Members, Board of County Commissioners

DATE: November 5, 2013

FROM: 
R. A. Cuevas, Jr.
County Attorney

SUBJECT: Agenda Item No. 8(G)(2)

Please note any items checked.

- ☐ "3-Day Rule" for committees applicable if raised
- ☐ 6 weeks required between first reading and public hearing
- ☐ 4 weeks notification to municipal officials required prior to public hearing
- ☐ Decreases revenues or increases expenditures without balancing budget
- ☐ Budget required
- ☐ Statement of fiscal impact required
- ☐ Ordinance creating a new board requires detailed County Mayor's report for public hearing
- ☐ No committee review
- ☐ Applicable legislation requires more than a majority vote (i.e., 2/3's ____, 3/5's ____, unanimous ____) to approve
- ☐ Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 8(G)(2)
11-5-13

RESOLUTION NO. _____

RESOLUTION RELATING TO SEPARATION REQUEST OF THE CITY OF SWEETWATER OF CERTAIN PROPERTY AND ANNEXATION REQUEST OF SUCH PROPERTY TO THE CITY OF DORAL; PROVIDING THAT ACTION BE TAKEN PURSUANT TO SECTION 20-7(B) OF THE CODE OF MIAMI-DADE COUNTY TO EITHER DIRECT THE COUNTY ATTORNEY TO PREPARE THE APPROPRIATE ORDINANCE TO EFFECTUATE THE SEPARATION AND ANNEXATION REQUEST, DENY THE SEPARATION AND ANNEXATION REQUEST OR TO DEFER THE SEPARATION AND ANNEXATION REQUEST

WHEREAS, on July 11, 2012, the City of Doral adopted Resolution No. 12-94 requesting to include a certain geographical area within the corporate limits of the City of Sweetwater be included within Doral's boundaries; and

WHEREAS, on August 21, 2012, the City of Sweetwater adopted Resolution No. 3708 to separate the area being requested by the City of Doral; and

WHEREAS, on July 1, 2013, the Planning Advisory Board, after reviewing the required staff report and after a public hearing, adopted a resolution recommending that the Board of County Commissioners (Board) approve the separation from the City of Sweetwater and annexation to the City of Doral; and

WHEREAS, County staff has prepared a staff report attached hereto and incorporated herein by reference as Exhibit 2; and

WHEREAS, the County Mayor has prepared his recommendation on the City of Sweetwater separation and the City of Doral annexation; and

WHEREAS, pursuant to Section 20-7(B) the Board after a public hearing either directs that the County Attorney prepare the appropriate separation and annexation ordinance, or the

Board may deny the separation and annexation request, or defer the separation or annexation request,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that:

Section 1. The foregoing recitals are incorporated in this resolution.

Section 2. The Board of County Commissioners hereby takes the following action on the City of Sweetwater separation and City of Doral annexation request:

The foregoing resolution was offered by Commissioner
who moved its adoption. The motion was seconded by Commissioner
and upon being put to a vote, the vote was as follows:

Rebeca Sosa, Chairwoman

Lynda Bell, Vice Chair

Bruno A. Barreiro

Jose "Pepe" Diaz

Sally A. Heyman

Jean Monestime

Sen. Javier D. Souto

Juan C. Zapata

Esteban L. Bovo, Jr.

Audrey M. Edmonson

Barbara J. Jordan

Dennis C. Moss

Xavier L. Suarez

The Chairperson thereupon declared the resolution duly passed and adopted this 5th day of November, 2013. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

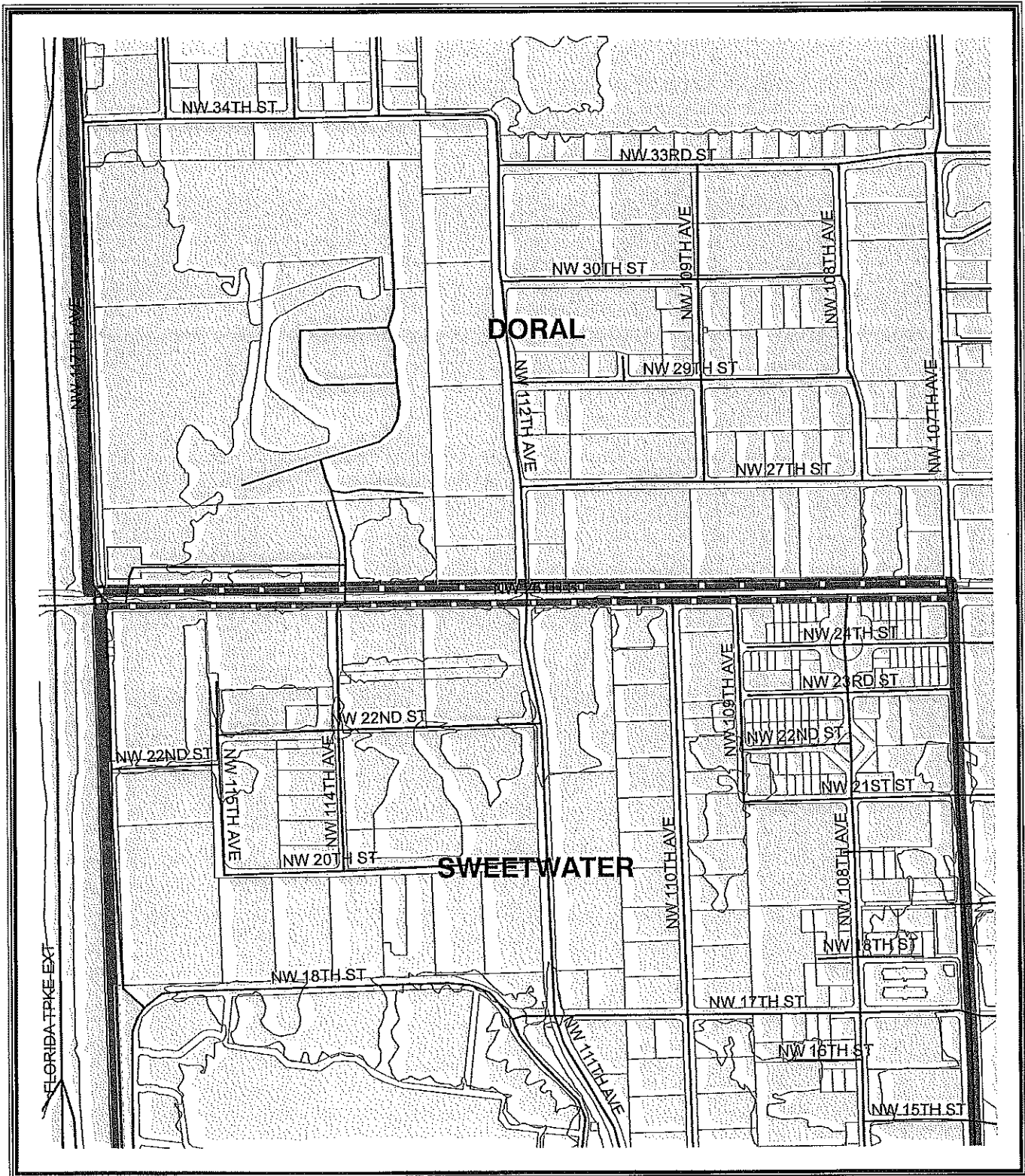
By: _____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.







Craig H. Collier

Proposed City of Doral Annexation Area



Legend

-  Proposed Annexation
-  Municipal Boundary
-  100 Year Floodplain

 Property Boundary

 Streets

N



0 0.1 0.2
Miles



Delivering Excellence Every Day

Department of Regulatory and Economic Resources
Development Services Division

March 2013

10

RESOLUTION NO. 12- 94

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF DORAL, FLORIDA, EXPRESSING A DESIRE TO MODIFY THE CITY'S BOUNDARY SO AS TO INCORPORATE LANDS LEGALLY DESCRIBED AS EXHIBIT "A" IN SECTION 31, TOWNSHIP 53 SOUTH, RANGE 40 EAST IN MIAMI-DADE COUNTY, FLORIDA; DIRECTING CITY STAFF TO TAKE ALL NECESSARY ACTIONS TO ACCOMPLISH THE ANNEXATION; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the southernmost boundary of Section 30, Township 53 South, Range 40 East, demarcates the City of Doral's southern municipal boundary between NW 117th Avenue and NW 107th Avenue; and

WHEREAS, the City of Sweetwater abuts the City of Doral at this southern municipal boundary; and

WHEREAS, the aforementioned boundary falls just north of NW 25th Street, a Section line Roadway; and

WHEREAS, Section lines typically fall within the centerline of Section Line Roadways; and


WHEREAS, to limit confusion between the City of Doral's and the City of Sweetwater's municipal boundaries, both the City of Doral and the City of Sweetwater's common boundary should be revised to fall within the centerline of NW 25th Street between NW 117th Avenue and NW 107th Avenue; and

WHEREAS, in order to adjust the common municipal boundary between the City of Doral and the City of Sweetwater, the northern most 95 feet of Section 31, Township 53 Range 40, as described in Exhibit "A", which currently lies within the City of Sweetwater, should be incorporated to the City of Doral; and

The foregoing Resolution was offered by Councilman Cabrera who moved its adoption. The motion was seconded by Vice Mayor DiPietro and upon being put to a vote, the vote was as follows:

Mayor Juan Carlos Bermudez	Yes
Vice Mayor Michael DiPietro	Yes
Councilman Luigi Boria	Yes
Councilman Pete Cabrera	Yes
Councilwoman Ana Maria Rodriguez	Yes

PASSED AND ADOPTED this 11th day of July 2012.



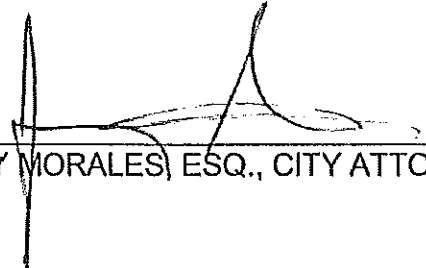
JUAN CARLOS BERMUDEZ, MAYOR

ATTEST:



BARBARA HERRERA, CITY CLERK

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY FOR THE
SOLE USE OF THE CITY OF DORAL:



JIMMY MORALES, ESQ., CITY ATTORNEY

THE CITY OF DORAL

P.C.	= POINT OF CURVATURE	R.O.W.	= RIGHT OF WAY
P.T.	= POINT OF TANGENCY	R	= RADIUS
P.B.	= PLAT BOOK	Δ	= CENTRAL ANGLE
P.G.	= PAGE	L	= ARC LENGTH
SEC.	= SECTION	TAN	= TANGENT LINE



E:\11310 Section 52-53-54 Draw\dwg\11310.dwg 9/7/2011 2:15:40 PM COT

SKETCH TO ACCOMPANY LEGAL DESCRIPTION
for
THE CITY OF DORAL

SOURCES OF DATA:

The Legal Description of the Subject Property was generated from the review of the following Plats:
Plat of "COTO'S SUBDIVISION", recorded in Plat Book 146, Page 26, Miami-Dade County Records.
Plat of "OUR LADY OF MERCY CEMETERY", recorded in Plat Book 93, Page 34, Miami-Dade County Records.
Plat of "BEACON TRADEPORT - PHASE I", recorded in Plat Book 151, Page 73, Miami-Dade County Records.
Plat of "BEACON TRADEPORT - PHASE II", recorded in Plat Book 154, Page 40, Miami-Dade County Records.
Plat of "BEACON TRADEPORT - PHASE IV", recorded in Plat Book 157, Page 3, Miami-Dade County Records.
Plat of "BEACON TRADEPORT EAST", recorded in Plat Book 158, Page 40, Miami-Dade County Records.
RIGHT OF WAY MAP prepared for the Florida Department of Transportation, State Road No. 821, Section 87005, Contract 2310, Sheets 2, 8 and 9 of a total of 11 Sheets, prepared by W.K. Daugherty, Consulting Engineers, last dated May 25, 1970.
TOWNSHIP MAPS for Sections 30 and 31, Township 53 South, Range 40 East, prepared for Miami-Dade County, Public Works Department, Engineering Division Services.

In addition, the following sources of data were used to the extent required to complete this document in a defensible matter, that is to say:

- Exhibit "A" dated August 8, 2011 depicting the Proposed Annexation Area, prepared by the City of Doral, Planning and Zoning Department.

Bearings as shown hereon are based upon the East Line of the Northeast one-Quarter of Section 31, Township 53 South, Range 40 East, City of Doral, Miami-Dade County, Florida with an assumed bearing of S01°43'22"E.

EASEMENTS AND ENCUMBRANCES:

No information was provided as to the existence of any easements other than what appears on the underlying Plots of record. Please refer to the Limitations item with respect to possible restrictions of record and utility services.

LIMITATIONS:

Since no other information were furnished other than that is cited in the Sources of Data, the Client is hereby advised that there may be legal restrictions on the subject property that are not shown on the Sketch or contained within this Report that may be found in the Public Records of Miami-Dade County, Florida or any other public and private entities as their jurisdictions may appear.

This document does not represent a field boundary survey of the described property, or any part or parcel thereof.

INTENDED USE / EXPRESS PURPOSES:

It is understood by the Surveyor that the intended use of this document is to depict an specific area for planning and zoning purposes.

SURVEYOR'S CERTIFICATE:

I hereby certify that this "Sketch to Accompany Legal Description," was prepared under my direction and is true and correct to the best of my knowledge and belief and further, that said Sketch meets the intent of the "Minimum Technical Standards for Land Surveying in the State of Florida", pursuant to Rule 5J-17-05 of the Florida Administrative Code and its implementing Rule, Chapter 472.027 of the Florida Statutes.

By: Eduardo M. Suarez Date: 9/7/11

Eduardo M. Suarez, P.S.M.
Professional Surveyor and Mapper LS 6313
State of Florida
HADONNE CORP.
Land Surveyors and Mappers
Certificate of Authorization LB7097
1985 N.W. 88th Court, Suite 202
Doral, Florida 33172
305.266.1188 phone
305.207.6845 fax

NOTICE: Not valid without the signature and original raised seal of a Florida Licensed Surveyor and Mapper. Each Sheet as incorporated therein shall not be considered full, valid and complete unless attached to the others. This Notice is required by Rule 5J-17-05 of the Florida Administrative Code.

RESOLUTION NO.

3708

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF SWEETWATER, FLORIDA, EXPRESSING A DESIRE TO MODIFY THE CITY'S BOUNDARY SO AS TO UN-INCORPORATE LANDS LEGALLY DESCRIBED AS THE NORTHERN MOST 95 FEET OF SECTION 31, TOWNSHIP 53 SOUTH, RANGE 40 EAST IN MIAMI-DADE COUNTY, FLORIDA, AS MORE FULLY DESCRIBED IN EXHIBIT "A" HERETO; DIRECTING CITY STAFF TO TAKE ALL NECESSARY ACTIONS TO ACCOMPLISH THE UN-INCORPORATION; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the boundaries between municipalities in Miami-Dade County typically occur on Section lines, which typically fall within the centerline of Section Line Roadways; and

WHEREAS, the southernmost boundary of Section 30, Township 53 South, Range 40 East, demarcates the southern boundary between the City of Sweetwater and the City of Doral between NW 117th Avenue and NW 107th Avenue, and


WHEREAS, the aforementioned boundary falls just north of NW 25th Street, as Section line Roadway, and

WHEREAS, to limit confusion between the City of Doral's and the City of Sweetwater's municipal boundaries, both the City of Doral and the City of Sweetwater's common boundary should be revised to fall within the centerline of NW 25th Street between NW 117th Avenue and NW 107th Avenue; and

WHEREAS, in order to adjust the common municipal boundary between the City of Doral and the City of Sweetwater, the northern most 95 feet of Section 31, Township 53 Range 40, as described in Exhibit "A", which currently lies within the City of Sweetwater, should be un-incorporated from the City of Sweetwater and annexed to the City of Doral; and

CERTIFIED
TRUE COPY

15-09/11/12



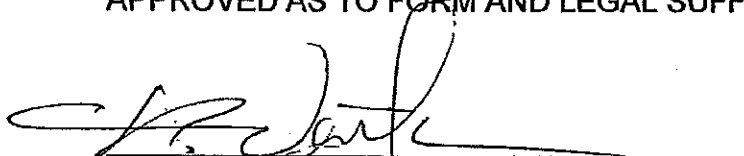
JOSE M. DIAZ, COMMISSION PRESIDENT

ATTEST:



MARIE O. SCHIMIDT, CITY CLERK

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

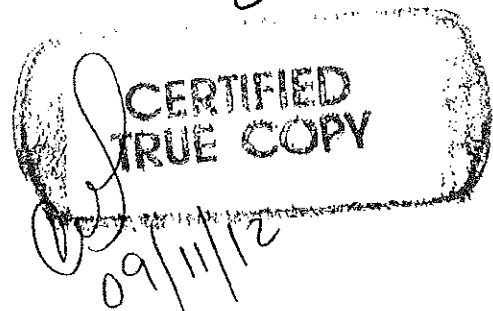


RALPH VENTURA, CITY ATTORNEY

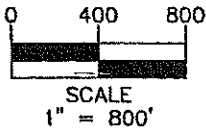
VOTE UPON ADOPTION:

JOSE M. DIAZ, COMMISSION PRESIDENT
JOSE BERGOUIGNAN, JR., COMMISSION VICE PRESIDENT
PRISCA BARRETO, COMMISSIONER
MANUEL DUASSO, COMMISSIONER
JOSE M. GUERRA, COMMISSIONER
ORLANDO LOPEZ, COMMISSIONER
ISOLINA MAROÑO, COMMISSIONER

yes
yes
yes
yes
yes
yes
yes

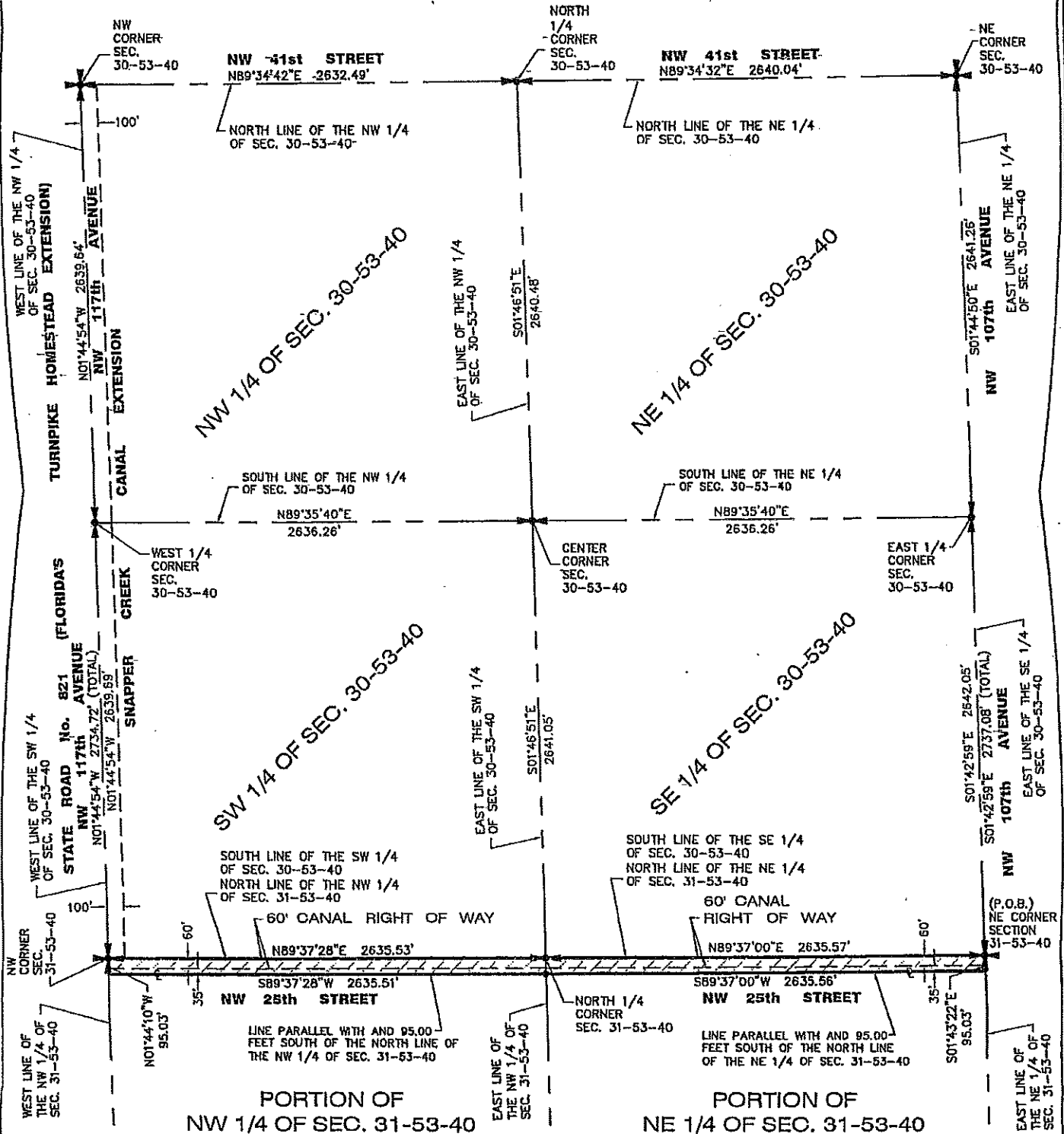


SKETCH TO ACCOMPANY LEGAL DESCRIPTION for **THE CITY OF DORAL**



LEGEND

P.C. = POINT OF CURVATURE	R.O.W. = RIGHT OF WAY
P.T. = POINT OF TANGENCY	R = RADIUS
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SEC. = SECTION	TAN = TANGENT LINE



NOTICE: Not full and complete without all pages. Total of Three (3) Pages

No. 11310
Page 1 of 3

SKETCH TO ACCOMPANY LEGAL DESCRIPTION
for
THE CITY OF DORAL

SOURCES OF DATA:

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RIGHT OF WAY MAP prepared for the Florida Department of Transportation, State Road No. 821, Section 87005, Contract 2310, Sheets 2, 8 and 9 of a total of 11 Sheets, prepared by W.K. Daugherty, Consulting Engineers, last dated May 25, 1970.
TOWNSHIP MAPS for Sections 30 and 31, Township 53-South, Range 40 East, prepared for Miami-Dade County, Public Works Department, Engineering Division Services.

In addition, the following sources of data were used to the extent required to complete this document in a defensible matter, that is to say:

- Exhibit "A" dated August 8, 2011 depicting the Proposed Annexation Area, prepared by the City of Doral, Planning and Zoning Department.

Bearings as shown hereon are based upon the East Line of the Northeast one-Quarter of Section 31, Township 53 South, Range 40 East, City of Doral, Miami-Dade County, Florida with an assumed bearing of S01°43'22"E.

EASEMENTS AND ENCUMBRANCES:

No information was provided as to the existence of any easements other than what appears on the underlying Plats of record. Please refer to the Limitations Item with respect to possible restrictions of record and utility services.

LIMITATIONS:

Since no other information were furnished other than that is cited in the Sources of Data, the Client is hereby advised that there may be legal restrictions on the subject property that are not shown on the Sketch or contained within this Report that may be found in the Public Records of Miami-Dade County, Florida or any other public and private entities as their jurisdictions may appear.

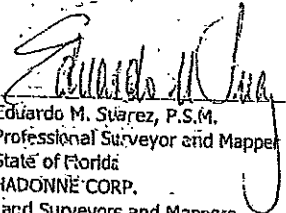
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INTENDED USE / EXPRESS PURPOSES:

It is understood by the Surveyor that the intended use of this document is to depict an specific area for planning and zoning purposes.

SURVEYOR'S CERTIFICATE:

I hereby certify that this "Sketch to Accompany Legal Description," was prepared under my direction and is true and correct to the best of my knowledge and belief and further, that said Sketch meets the intent of the "Minimum Technical Standards for Land Surveying in the State of Florida", pursuant to Rule 5J-17-05 of the Florida Administrative Code and its implementing Rule, Chapter 472.027 of the Florida Statutes.

By:  Date: 9/7/11
Eduardo M. Suarez, P.S.M.
Professional Surveyor and Mapper LS 6313
State of Florida
HADONNE CORP.
Land Surveyors and Mappers
Certificate of Authorization LB7097
1985 N.W. 88th Court, Suite 202
Doral, Florida 33172
305.266.1188 phone
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NOTICE: Not full and complete without all pages. Total of Three (3) Pages

No. 11310
Page 3 of 3

Memorandum



Date: June 2, 2013

To: Chairperson and Members
Planning Advisory Board

From: Jorge M. Fernandez, Jr.
Program Coordinator, Office of Management and Budget

Subject: Staff Report for Proposed Boundary Change to the City of Sweetwater and the City of Doral

Background

On October 19, 2010, the Board of County Commissioners (BCC) adopted Ordinance No. 10-70 approving the annexation of an area generally described as NW 25 St to the north, Flagler St to the south, NW 107 Avenue to the east and the Florida Turnpike to the west to the City of Sweetwater. The northern boundary of the annexation area is north of the canal located just north of NW 25 St. The City of Doral is now requesting that the southern boundary of Doral be relocated to the centerline of NW 25 St. from the current location (north of the NW 25 St. canal). The City of Sweetwater and the City of Doral adopted resolutions establishing a common boundary along the centerline of NW 25 St. As per the Miami-Dade County Code, this boundary change is being reviewed by the Planning Advisory Board (PAB).

Analysis

The area to be separated from Sweetwater and annexed by the City of Doral is approximately 12 acres bounded on the north by a property line north of the canal on NW 25 Street, on the south by the centerline of NW 25 Street, on the east by NW 107th Avenue and on the west by the Florida Turnpike. The annexation consists of an odd shaped area which lies within the Urban Development Boundary (UDB). The area consists of Miami-Dade County right of way there are no residents within the area.

Pursuant to Section 20-6 of the Code, OMB submits this report for your review and recommendation. Because this is an annexation from one municipality to another, portions of this analysis are not applicable. There is no impact to the unincorporated area and the size of the area is very limited.

Police

The annexation area is within the corporate limits of the City of Sweetwater. Currently the City responds to any calls within this area. Should the annexation be approved, the City of Sweetwater will respond to calls south of NW 25 St., and the City of Doral will respond to calls north of NW 25 St.

Water and Sewer

The proposed annexation area is within the Miami-Dade Water and Sewer Department's (WASD) water and sewer service area.

Public Works and Waste Management

Waste Management Services

The annexation area consists of right of way, there are no solid waste accounts within this area. The annexation will not have an impact on the department's ability to provide services to the remaining UMSA area.

Annexation Area Roads

There is approximately 1 lane mile in the proposed annexation area. NW 25 St. is currently a County maintained road, and will continue to remain under the County's jurisdiction.

Department of Regulatory and Economic Resources (RER)

A description of the services provided by this department, information relating to the Code and assessment of environmental issues with the proposed annexation are included below. Services provided by this department in the proposed annexation area include but are not limited to:

Review and approval or disapproval of development orders

This includes the following:

- Building Permits
- Zoning Actions
- Platting Actions (Land Subdivision)
- Building Occupancies (Residential and Nonresidential)
- Municipal Occupational Licenses

The department reviews applications for consistency with the requirements of the Code. The review includes but is not limited to the following:

- Protection of public potable water supply wellfields
- Potable water supply
- Liquid waste disposal
- Stormwater management and disposal
- Tree resources preservation and protection
- Wetland preservation and protection
- Coastal resources preservation and protection
- Air quality requirements
- Flood protection

Operating Permits

Section 24-18 of the Code authorizes this department to require and issue permits for any facility that could be a source of pollution. This includes a wide variety of nonresidential activities or facilities and some ancillary operations to residential land uses.

Pollution Prevention and Educational Programs

The Office of Environmental Education and Communication (EECO) is responsible for promoting and coordinating pollution prevention programs, waste minimization programs, urban CO2 reduction and environmental education in general. You may contact this office at 305-372-6784 for additional information regarding these services.

Enforcement Activities

These include regular inspections of permitted facilities as well as of any potential source of pollution, responses to complaints and general enforcement operations.

The department's regulatory activities are enforceable under County Code in both incorporated and unincorporated areas. This department currently provides the services listed above to the subject area. The annexation of the parcels in question will not affect the ability to provide adequate levels of service to the areas being annexed or to the areas adjacent to the parcels being annexed.

Air Quality

There are no changes to the CDMP land use designation areas or to the level of service. There is no inconsistency with applicable federal, state and local air quality regulatory criteria at this time.

Water Supply and Distribution

The area proposed for annexation/separation is located within the WASD franchised service area. A 16-inch water main runs along NW 25 Street throughout the subject area.

The source of water for this area is Hialeah Preston Water Treatment Plants; these plants are owned and operated by WASD. At this time the plants have sufficient capacity to provide current water demand. Water produced by these plants meet the required Drinking Water Standards.

Facilities for the Collection and Treatment of Sewage

The area proposed for annexation/separation is located inside the WASD franchised service area. A 20-inch force main runs along NW 25th Street within the subject area. The 20-inch force main directs the sewage flow to pump station 30-1200, then to pump station 30-0187 and finally to the Central District Wastewater Treatment Plant. The aforementioned sanitary sewer pump stations as well as the Central District Wastewater Treatment Plant are owned and operated by WASD. The pump stations are currently working within the mandated criteria set forth in the First and Second Partial Consent Decree. At this time the Central District Wastewater Treatment Plant has sufficient capacity to treat current discharge.

Wellfield Protection Areas

The west portion of the annexation area falls within the average travel time of the Northwest Wellfield Protection Area. Therefore, any work or improvement in this area shall conform to the requirements of Section 24-43 of the Code.

Stormwater Management

The Miami-Dade County Water Control Plan shows the North Line Canal within the proposed annexation area. Any proposed work within county canal right-of-ways, reservation, or easement will require a Class III permit and/or connection to the canal will require a Class II Permit from DERM prior to the City issuing building permits.

County Flood Criteria ranges between Elevation +7.20 feet and +7.50 feet NGVD. Design Ground Water Level (October Water Level) ranges between +4.00 feet and 4.50 feet NGVD. The Flood Zone in the annexation area is AE-8.

Pollution Control

There are no records of current contamination assessment/remediation issues within the proposed annexation area. Furthermore, the subject site is located west of the isochlor line, east of the Urban Development Boundary (UDB), and is partially located within a wellfield protection area.

Natural Resources

Proposed portions of the annexation area include North Line Canal which provides habitat for the Federally Endangered West Indian Manatee. In addition, North Line Canal is owned and maintained by Miami-Dade County and a portion of the proposed annexation area overlaps with the Northwest Wellfield protection area. Therefore, the interlocal agreement with the municipality should include conditions ensuring construction

work in these right-of-ways and canals are reviewed and approved by the Department of Regulatory and Economic Resources prior to the City issuance of building permits.

Permits from the US Army Corps of Engineers, the Florida Department of Environmental Protection and the South Florida Water Management District may be required for construction projects in the areas proposed for annexation. It is the applicant's responsibility to contact these agencies for necessary approvals

Parks, Recreation and Open Spaces

There are no Miami-Dade County parks within the proposed annexation area. The annexation has no impact on the Parks, Recreation and Open Spaces Department.

Annexation Guidelines:

The following analysis addresses the factors required for consideration by the Planning Advisory Board pursuant to Chapter 20-6 of the County Code. Will the annexation:

1. Will the annexation divide a historically recognized community?

No.

2. Will the annexation if approved result in an area that is compatible with existing planned land uses and zoning of the municipality to which the area is proposed to be annexed?

The proposed annexation area is a canal providing drainage and a portion of a road right of way that forms part of the existing roadway network providing mobility and property access within the general area. Therefore, it is compatible with the existing and planned uses and zoning within the City of Doral.

3. Will the annexation area preserve, if currently qualified, eligibility for any benefits derived from inclusion in federal or state enterprise zones, or targeted area assistance provided by federal, state, and local government agencies?

The proposed annexation area is composed entirely of right of way. The area would continue to be eligible for any benefits derived from inclusion and assistance from the federal government through the State's Small Cities Program.

4. Will the annexation impact public safety response times?

No.

5. Will the annexation introduce barriers to municipal traffic circulation due to existing security taxing districts, walled communities, and/or private roads?

PWWM has determined that the proposed annexation does not introduce any barriers to municipal traffic circulation.

6. Will the annexation result, to the degree possible, in an area served by the same public service franchises, such as cable and communications services, as the existing municipality, or with full access to all available municipal programming through its franchise provider(s)?

The proposed annexation will continue to be served by the same cable television and telecommunication operators as before and will not have an impact on our ability to enforce Rights-of-Way issues as per the Miami-Dade County Code should they arise. A list of new Cable Franchise Certificates that may affect Miami-Dade County's Rights-of-Way can be found at <http://sunbiz.org/scripts/cable.exe>.

Telecommunications Service Providers are required to register with the County only if they have facilities located within the unincorporated areas. The purpose of the registration process is to determine users of the County's Rights-of-Way. Therefore, companies that have facilities within the proposed annexation area will no longer be required to register with the County. Municipalities requesting annexations will be responsible for managing its public thoroughfares.

Municipal programming is accomplished through separate agreements between municipalities and the cable operators providing services within their respective municipality. The cable operator's obligation to broadcast municipal meetings is outlined in these agreements. Technically, cable operators have the ability to add municipal programming to the proposed annexed areas if required.

7. Has the area has been identified by the Federal Government as a flood zone or by emergency planners as an evacuation zone, has the existing municipality indicated its preparedness to address any extraordinary needs that may arise?

The proposed annexation area is located within the federally designated, 100-year floodplain. This area will flood under sustained rains.

The proposed annexation area is not located within any County designated hurricane evacuation zone and the area does not need to be evacuated when hurricane warnings are issued.

8. Does the annexation result in an area connected to municipal government offices and commercial centers by public transportation?

The proposed annexation is serviced by Route 137, the West Dade Connection, which runs along W. Flagler Street and NW 112 Avenue, providing East West and North South Metrobus service. Route 137 provides service to the Dolphin Mall located in Sub-Area 4 and this route connects to the South Dade Government Center.

Routes 7, 41, 71, and 238 run on NW 107 Avenue and they all terminate at the Dolphin Mall. Route 7 connects to the Stephen P. Clark Center and Route 238 to Miami International Airport.

Additionally, the City of Doral operates a trolley service within the City limits.

9. To the degree possible, would the proposed annexation area be contained in one or more school district boundaries governing admission to elementary, middle and high school as the adjoining municipality?

Not applicable.

The following analysis addresses the factors required for consideration by the Board of County Commissioners and the Planning Advisory Board pursuant to Chapter 20-7 of the County Code.

1. The suitability of the proposed annexation boundaries, in conjunction with the existing municipality, to provide for a municipal community that is both cohesive and inclusive.

- a) Does the area divide a Census Designated Place, (an officially or historically recognized traditional community)?

No.

- b) Have any adjacent unincorporated areas with a majority of ethnic minority or lower income residents petitioned to be in the annexation area?

Not applicable.

- c) The area is not, nor does not create, an unincorporated enclave area (surrounded on 80 percent or more of its boundary by municipalities) that cannot be efficiently or effectively served by the County.

The proposed annexation area is not an enclave nor does it create an unincorporated enclave.

- d) The boundaries are logical, consisting of natural, built, or existing features or city limits.

The boundaries are mostly logical and generally follow City limits or rights-of-way. The proposed annexation area is described as the northern most 95 feet of Section 31, Township 53 South, Range 40 East.

2. The existing and projected property tax cost for the municipal-level service to the average homeowners in the area currently as unincorporated and as included as part of the annexing municipality.

Not applicable.

3. Relationship of the proposed annexation area to the Urban Development Boundary (UDB) of the County's Comprehensive Development Master Plan.

The proposed annexation area is located inside the 2015 Urban Development Boundary (UDB) of the Adopted 2015 and 2025 Land Use Plan map of the Miami-Dade County Comprehensive Development Master Plan.

4. The impact of the proposal on the revenue base of the unincorporated area and on the ability of the County to efficiently and effectively provide services to the adjacent remaining unincorporated areas?

Not applicable.

5. The fiscal impact of the proposed annexation on the remaining unincorporated areas of Miami-Dade County? Specifically, does the per capita taxable value of the area fall within the range of \$20,000 to \$48,000?

Not applicable.

6. Is the annexation area consistent with the land Use Plan of the County's Comprehensive Development Master Plan (CDMP)?

The change in jurisdictional boundaries would not change the existing or future uses of the proposed annexation area. Therefore, the proposed annexation is generally consistent with the CDMP.

Existing Land Use of the Area

City of Doral Proposed Annexation Area						
2013 Existing Land Use						
Land Use	Annexation Area (Acres)	Annexation Area (Percent of Total)	City of Doral (Acres)	City of Doral (Percent of Total)	Miami-Dade County (Acres)	Miami-Dade County (Percent of Total)
Residential	0.0	0.0	1,450.9	15.2	111,061.0	8.8
Commercial & Office & Transient Residential	0.0	0.0	903.3	9.4	14,426.3	1.1
Industrial	0.0	0.0	1,626.9	17.0	17,765.3	1.4
Institutional	0.0	0.0	307.8	3.2	14,565.0	1.2
Parks/Recreation	0.0	0.0	890.7	9.3	833,385.1	65.8
Transportation, Communication, Utilities	6.7	57.4	1,777.7	18.6	87,415.7	6.9
Agriculture	0.0	0.0	208.8	2.2	63,535.9	5.0
Undeveloped	0.0	0.0	1,408.2	14.7	87,218.5	6.9
Inland Waters	5.0	42.6	986.4	10.3	36,937.2	2.9
Total:	11.6	100.0	9,560.8	100.0	1,266,309.9	100.0

Source: Miami-Dade County Department of Regulatory and Economic Resources, Planning Research Section March, 2013

c: Jennifer Moon, Director, Office of Management and Budget

RESOLUTION OF THE MIAMI-DADE COUNTY PLANNING
ADVISORY BOARD RECOMMENDING THAT THE BOARD OF
COUNTY COMMISSIONERS APPROVE THE PROPOSED
ANNEXATION TO THE CITY OF DORAL

WHEREAS, the City of Doral has petitioned for the annexation of the area generally described below:

Boundaries: On the north the property line north of the canal on
NW 25th Street, on the south the centerline of NW 25th
Street, on the east NW 107th Avenue and on the west
the Florida Turnpike

WHEREAS, the Board of County Commissioners referred the application to the Planning Advisory Board; and

WHEREAS, the Planning Advisory Board's Incorporation and Annexation Committee reviewed staff's report dated June 2, 2013; and

WHEREAS, on July 1, 2013, the Planning Advisory Board's Incorporation and Annexation Committee held an advertised public meeting, concerning this application for annexation by the City of Doral; and

WHEREAS, the Planning Advisory Board's Incorporation and Annexation Committee recommended approval of the proposed annexation; and

WHEREAS, on July 1, 2013, the Planning Advisory Board held an advertised public hearing, concerning this application by the City of Doral;

NOW THEREFORE BE IT RESOLVED BY THE MIAMI-DADE COUNTY PLANNING ADVISORY BOARD, that it recommends the Board of County Commissioners approve the proposed annexation by the City of Doral.

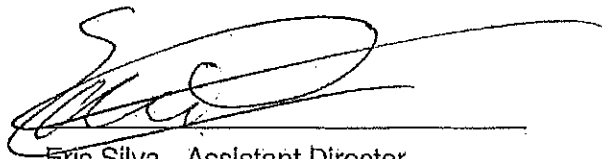
The forgoing resolution was offered by Board Member Raymond Marin, who moved its adoption and was seconded by Board Member Alda Bao-Garciga, and upon being put to a vote the vote was as follows:

Carla Ascencio-Savola	Absent	Raymond Marin	Yes
Aida Bao-Garciga	Yes	Robert Meador	Absent
Jose Bared	Absent	Javier Munoz	Yes
Peter DiPace	Yes	William Riley	Absent
Horacio Huembes	Absent	Georgina Santiago	Yes
Joseph James	Yes	Jesus Vazquez	Absent
Serafin Leal	Yes	Paul Wilson	Absent

Wayne Rinehart, Chair Yes

The Chair thereupon declared the resolution duly passed and adopted this 1st day of July 2013.

I hereby certify that the above information reflects the action of the Board.

A handwritten signature in black ink, appearing to be "Eric Silva", written over a horizontal line.

Eric Silva - Assistant Director
Regulatory and Economic Resources